



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2628

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANTS Conditional Use Permit #2628 for Transient or Tourist Lodging conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: August 27, 2024

CUP EXPIRATION DATE: none (see below)

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: 2046 Barber Drive, Town of Dunn (Tax Parcel # 0610-262-0102-0)

LEGAL DESCRIPTION:

Parcel A:

All that part of the following described property lying South of the North line of Lot One (1), Lincoln Park, and extension thereof Westerly to the West line of said parcel: Part of Government Lot Two (2), being the fractional Southeast quarter of the Northwest quarter (SE 1/4 NW 1/4) of Section Twenty-six (26) and Lot One (1), Plat of Lincoln Park in said Section 26 and part of Lake Avenue as laid out in the Plat of said Lincoln Park, all of said lands lying in Section Twenty-six (26), Township Six (6) North, Range Ten (10) East, in the Town of Dunn, Dane County, Wisconsin, more particularly described as follows:

Beginning at the intersection of the Northerly line of Lot 2 of said Lincoln Park and the Westerly shore of Lake Kegonsa; thence South 55° 20' 00" West along the North line of said Lot 2, 30.0 feet, more or less, to a meander corner; thence continuing South 55° 20' 00" West along said North line 14.7 feet; thence South 60° 14' 06" West, 75.28 feet to the Southwesterly line of Lot 3, said plat of Lincoln Park, said point being 6.4 feet Northwesterly of the most Southerly corner of said Lot 3; thence continuing South 60° 14' 06" West, 19.76 feet; thence Southeasterly to the Northwesterly corner of Lot 1, the Plat of Richards-Standish Replat of Crown Point; thence Northeasterly along the North line of said Lot 1, Richards-Standish Replat of Crown Point to its intersection with the Southerly line of Lot 1, Plat of Lincoln Park; thence Easterly along the Northerly line of Lot 1, Richards-Standish Replat of Crown Point to the Westerly shore of Lake

Kegonsa; thence Northwesterly along said Westerly shore to the point of beginning of this description. EXCEPTING therefrom any part thereof lying within Lot 1, Richards-Standish Replat of Crown Point, AND EXCEPTING the following: That part of Lot One (1), Lincoln Park and that part of Lot One (1), Crown Point, all in the Town of Dunn, Dane County, Wisconsin, described as follows: Commencing at the Northwesterly corner of Lot 1 of Richards-Standish Replat of Crown Point as recorded in Volume 4 of Plats, page 21, Dane County Registry; thence North 74° 00' East (recorded as North 73° 35' East), 85.00 feet along the Northerly line of said Lot 1; thence South 85° 47' West, 33.33 feet; thence South 66° 36' West, 52.81 feet to the aforesaid Northerly line of Lot 1 and the point of beginning.

Together with a portion of vacated Barber Drive (formerly Lake Avenue) lying adjacent and Southwesterly thereto, as vacated in Resolution recorded in Volume 14708 of Records, page 20, as Document No. 2221691.

Parcel B:

Part of Lot 1 of Richards-Standish Replat of Crown Point as recorded in Volume 4 of Plats, page 21, Dane County Registry, said plat being located in Government Lot 2 of Section 26, T6N, R10E, Town of Dunn, Dane County, Wisconsin, more particularly described as follows:

Beginning at the Northwesterly corner of said Lot 1; thence N 74° 00' E, 85.00 feet (recorded as N 73° 35' E) along the Northerly line of said Lot 1; thence S 66° 36' W, 52.81 feet; thence S 85° 47' W, 33.33 feet to the point of beginning.

CONDITIONS:

Standard Conditions for all Conditional Use Permits from 10.101(7):

1. Any conditions required for specific uses listed under s. 10.103 (see below).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.

10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit.

Conditions specific to CUP # 2628:

13. The short-term rental period shall be between a minimum of 7 days to a maximum of 29 days.
14. The maximum number of allowable rental days within a 365-day period is 180 days. This 180 day period must run consecutively. The landowner must notify the Town of Dunn Clerk in writing when the first rental within a 365-day period begins.
15. There shall be no advertising that is inconsistent with Condition #13 and Condition #14. Advertisements must be consistent with Condition #13 and Condition #14 prior to the issuance of a Conditional Use Permit.
16. Applicant shall not advertise for, nor accept reservations for, more than 6 guests over 11 years old and no more than 6 total guests
17. Applicant shall designate off-street parking spaces for renters on the property and limit the number of renter vehicles, trailers, and recreational items not to exceed the number of parking spaces the operator provides. Parking space limit shall appear in all advertising for the short-term rental.
18. Any external lighting shall be restricted to safety lights at the entrance and exits of buildings. Lighting must be dark skies compliant and no light shall spill over neighboring property line.
19. Holder of the CUP is required to obtain all necessary local, county, state, and federal permits and licenses related to the transient and tourist lodging operation.
20. The boathouse may not be rented out for human habitation.
21. The CUP will terminate when the property is sold.
22. The house rules include requirements for renters to park on the property (including any trailers or boats), and to prohibit firearms and fireworks by renters.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220.

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.